

**Provides for continued examination of a utility or plant**

Application filed on or after June 8, 1995.

**See The American Inventors Protection Act of 1999 (AIPA)**

**Application Number:** 09/924,259  
**Filing Date:** August 7, 2001  
**First Named Inventor:** Lyakovetsky, et al.  
**Group Art Unit:** 2172  
**Examiner Name:** Anh Ly  
**Attorney Docket Number:** 0001589USU/2257  
**CUSTOMER NO.:** 27623

**Note:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114  
a. \_\_\_\_\_ Previously submitted  
i. \_\_\_\_\_ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_ (any unentered amendment(s) referred to above will be entered).  
ii. \_\_\_\_\_ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
iii. \_\_\_\_\_ Other \_\_\_\_\_  
b. XXXXX Enclosed  
i. XXXXX Amendment/Reply  
ii. \_\_\_\_\_ Affidavit(s)/Declaration(s)  
iii. \_\_\_\_\_ Information Disclosure Statement (IDS) and PTO-1449  
iv. XXXXX Other Extension of Time (2 mo. - \$215 – Small Entity)
2. Miscellaneous  
a. \_\_\_\_\_ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)  
b. XXXXX Other The undersigned attorney verifies that the Applicant is entitled to claim small entity status
3. Fees The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.  
a. XXXXX The Director is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.  
i. XXXXX RCE fee (\$395.00-small entity) required under 37 C.F.R. §1.17(e)  
ii. XXXXX Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)  
iii. \_\_\_\_\_ Other \_\_\_\_\_  
b. XXXXX Check in the amount of \$ \$610.00 enclosed  
c. \_\_\_\_\_ Payment by credit card (Form PTO-2038 enclosed)

Date of Signature

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395.00 OP

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 29, 2004.

Joanne A. Romaniello  
NAME

*Jaume A. Romanillos*  
SIGNATURE

11/29/04  
DATE